

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 9:00 A.M. DECEMBER 16, 1997

PRESENT:

Joanne Bond, Chairman
Mike Mouliot, Vice Chairman
Susan Camp, Commissioner
Jim Galloway, Commissioner
Jim Shaw, Commissioner

Judi Bailey, County Clerk
John MacIntyre, County Manager
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 E. Ninth Street, Reno, Nevada. Following the pledge of allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

97-1228A BUSINESS/LIQUOR LICENSE APPEAL - EDWARD COLELLA

This appeal was considered on MONDAY, DECEMBER 15, 1997, prior to the Caucus meeting, the Board having convened as the Washoe County Liquor Board, with all members of the Board present, except for Commissioner Jim Shaw, and Chairman Bond presiding, to consider the appeal of EDWARD COLELLA from the rejection of his business/liquor license by the County Business License Division.

On motion by Commissioner Mouliot, seconded by Commissioner Camp, which motion duly carried, the Board convened in closed personnel session to hear testimony as to why the appeal should be granted.. The appellant was present to offer testimony during the closed personnel session. Karen Carmel, Supervisor, Business License and Zoning Enforcement, was present to offer testimony. The Board then reconvened in open session wherein the following action was taken.

On motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion carried unanimously, Chairman Bond ordered that the appeal be granted and the denial of a business license to EDWARD COLELLA be overturned and the business and liquor license granted.

97-1228B AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the agenda for the December 16, 1997 meeting be approved.

PUBLIC COMMENTS

There was no response to the call for public comments.

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THE BOARD CONVENED AS THE GAMING LICENSE BOARD

97-1229 GAMING LICENSE - SILVER MOON SALOON - BUSINESS LICENSE

Upon recommendation of Karen Carmel, Business License & Code Enforcement, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that a gaming license for Silver Moon Saloon located at 5465 Sun Valley Boulevard, Sun Valley, Nevada be approved contingent upon approval by the Nevada State Gaming Commission.

Upon recommendation of Karen Carmel, Business License & Code Enforcement, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that a gaming license for Bi-State Petroleum, Inc., dba: Winner's Corner located at 8995 Spanish Springs Road, Sparks, Nevada be approved contingent upon approval by the Nevada State Gaming Commission.

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THE BOARD RECONVENED AS THE BOARD OF COUNTY COMMISSIONERS

MINUTES

On motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the minutes of the regular meeting of November 18, 1997, be approved.

97-1231 ACCEPTANCE OF CASH DONATION - STEWART TITLE KIDS KOTTAGE - SOCIAL SERVICES

Bill Hanks, President of Stewart Title, presented a check in the amount of \$1,500 on behalf of Stewart Title employees to be used for the purchase of items needed by children who are placed at Kids Kottage.

Chairman Bond presented a Plaque of Appreciation on behalf of the entire Board to Mr. Hanks in appreciation of the organization's generous donation.

On motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that a donation in the amount of \$1,500 from Stewart Title be accepted; and that the following account transactions be authorized for this purpose:

| | | | |
|--------------------|-----------------------|---------------------|------------|
| Increase Revenues: | Account 28-28052-5802 | (General Donations) | \$1,500.00 |
|--------------------|-----------------------|---------------------|------------|

97-1232 RESOLUTION OF RECOGNITION & APPRECIATION - KRIS SCHENK - FIRST DIRECTOR, TRUCKEE MEADOWS REGIONAL PLANNING AGENCY

On motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Bond be authorized to execute on behalf of Washoe County:

RESOLUTION OF RECOGNITION AND APPRECIATION TO KRIS SCHENK - THE FIRST EXECUTIVE DIRECTOR OF THE TRUCKEE MEADOWS REGIONAL PLANNING AGENCY

WHEREAS, The 1989 Nevada State Legislature mandated the Cities of Reno and Sparks, Washoe County and other affected entities to cooperatively work together to formulate and adopt a Regional Plan for the Truckee Meadows area; and

WHEREAS, The Regional Planning Governing Board was formed, pursuant to State law, to be responsible for the development of the Regional Plan; and

WHEREAS, The mandate from the State Legislature created a challenge for the region to adopt a Regional Plan within a demanding time frame; and

WHEREAS, The Regional Planning Governing Board required the assistance of an individual with skills and experience to provide leadership,

innovation and consensus building in order to craft a Regional Plan that would build unity and a shared vision in the Truckee Meadows; and

WHEREAS, Mr. Kris Schenk met the criteria and was hired by the original members of the Regional Planning Governing Board in April, 1990, to guide the region through the arduous tasks that lay ahead; and

WHEREAS, Mr. Schenk willingly embraced this challenge in 1990 and became the first Truckee Meadows Regional Planning Director; and

WHEREAS, Mr. Kris Schenk has provided guidance to the region in implementing the vision and policies of the Regional Plan for the past seven years; now, therefore, be it

RESOLVED, That the Board of Washoe County Commissioners extends its sincere appreciation to Mr. Kris Schenk for his admirable performance, sometimes under difficult circumstances, in guiding the development and refinement of the Regional plan, a living document that has significantly changed the course of this region; and be it further

RESOLVED , That the Board wishes Kris every success and satisfaction in his future personal and professional endeavors.

97-1233 RESIDENTIAL GARBAGE RATE INCREASE - INDEPENDENT SANITATION

9:30 a.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on December 8, 1997 concerning a residential garbage rate increase for Independent Sanitation Company. Proof was made that due and legal notice had been given.

Assistant County Manager Howard Reynolds reviewed background information concerning a proposed residential garbage rate increase for the unincorporated area of Washoe County and explained two options available to the Board (1) approval of the rate structure effective February 1, 1998 which represents an approximate 6% increase not including a \$1.25 per month charge for curbside recycling, or (2) an amendment to the Franchise Agreement with Independent Sanitation to provide a formula for annual rate increases based upon the percentage change in the Consumer Price Index (CPI). Mr. Reynolds stated that he is recommending the 6% increase in lieu of the CPI calculation.

Chairman Bond opened the public hearing and called on those wishing to speak. There being no response, the public hearing was closed.

Tom Green, Manager of Independent Sanitation, stated that County rates are higher as it is more difficult to perform garbage service in the County as they travel from Reno to areas as far as Palomino Valley and pick up garbage at 450-500 homes per truck as opposed to 650-700 in the city and, therefore, the rates are approximately \$2.00 per month higher in some instances.

On motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the following rate structure effective February 1, 1998 representing an approximate 6% increase in Residential Garbage Rates for the unincorporated areas of Washoe County not including the \$1.25 per month charge for the curbside recycling program be approved as follows:

| Proposed Service Level | Current Monthly Rate | Monthly Rate 2/1/98 |
|------------------------|----------------------|---------------------|
| 1 can | \$ 7.16 | \$ 7.59 |

| | | |
|--------------------|---------|---------|
| 2 cans | \$ 9.56 | \$10.13 |
| 1 can/1 cubic yard | \$11.92 | \$12.64 |
| 1 Mobile Toter | \$14.04 | \$15.02 |
| 2 Mobile Toters | \$16.16 | \$17.41 |

97-1234 HEALTH CARE ASSISTANCE PROGRAM - RETENTION OF COST-OF-LIVING INCREASE FOR JANUARY, 1998 - SOCIAL SERVICES

Upon recommendation of May Shelton, Director, Department of Social Services, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that clients in adult group care who are recipients of Social Security and/or Supplemental Security Income be allowed to keep their 2.1% cost-of-living increase for the month of January 1998 only, to help meet some of their personal needs.

97-1235 RIGHT-OF-WAY GRANT - BUREAU OF LAND MANAGEMENT - SERIAL #N-60618 - MT. DIABLO - ROADS

Upon recommendation of W. Dean Wall, Manager, Road Operations & Maintenance, through David Roundtree, Public Works Director, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that a Right-of-Way Grant, Serial #N-60618, between Washoe County and the Bureau of Land Management concerning the construction, operation, maintenance and termination of an access road across public lands establishing a 100' roadway easement be approved and Chairman Bond authorized to execute.

97-1236 RETENTION - RICHARD TRACHOK, II - CLAIMS LITIGATION DESIGN & CONSTRUCTION - COURTS COMPLEX - RISK MANAGEMENT

County Manager John MacIntyre explained that the County desires to retain attorney Richard Trachok, II for litigation concerning the design and construction of the Washoe County Courts Complex. He explained that Mr. Trachok has performed work for the County in the past; and that he has a strong background in construction law.

Commissioner Mouliot stated that in his opinion, the agenda memorandum concerning this item contained an inadequate amount of information; and that in the future, he would request more detailed background information from Risk Management on agenda items.

On motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that the retention of Richard M. Trachok, II, to pursue legal action against the architect of the Washoe County Courts Complex be authorized.

It was noted that the legal action will approximate \$200,000 which is available in the Capital Facilities Fund (89.)

97-1237 WATER RIGHTS DEED -W. R. ROGGENBIHL - WATER RESOURCES

Upon recommendation of John Collins, Utility Services Division Manager, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that a Water Rights Deed for 3.7125 acre-feet of surface water rights from a portion of Claim 209 between W. R. Roggenbihl as Grantor and Washoe County as Grantee be approved; that Chairman Bond be authorized to execute the Water

Rights Deed; and that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

It was noted that the Deed is in support of future development on behalf of Hawco Investment and Development, Inc.

97-1238 WATER RIGHTS DEED -W. R. ROGGENBIHL - WATER RESOURCES

Upon recommendation of John Collins, Utility Services Division Manager, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that a Water Rights Deed for 6.125 acre-feet of surface water rights from a portion of Claim 609 between W. R. Roggenbihl as Grantor and Washoe County as Grantee be approved; that Chairman Bond be authorized to execute the Water Rights Deed; and that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

It was noted that the Deed is in support of future development on behalf of Hawco Investment and Development, Inc.

97-1239 RESOLUTION - SPECIAL ASSESSMENT DISTRICT NO. 26 - MATTERHORN DRIVE

On motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Bond authorized to execute:

RESOLUTION NO. 97-1239

A RESOLUTION DIRECTING THE ENGINEERS ON BEHALF OF THE COUNTY TO PREPARE AND FILE WITH THE COUNTY CLERK PRELIMINARY PLANS AND AN ASSESSMENT PLAT IN CONNECTION WITH A PROPOSED STREET PROJECT IN SPECIAL ASSESSMENT DISTRICT NO. 26 (MATTERHORN DRIVE), FOR THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT IN WASHOE COUNTY PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENT LAW, AND ALL LAWS AMENDATORY THEREOF AND SUPPLEMENTAL THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") in the State of Nevada is of the opinion and has determined and does hereby declare that the interest of the County of Washoe requires the acquisition and improvement of a street project as defined in NRS 271.225 (the "Project"); and

WHEREAS, for the purpose of designation and identification it is desirable that the hereinafter Project be known and identified as "Washoe County, Nevada Special Assessment District No. 26 (Matterhorn Drive)" (the Improvement District" or "District").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA;

Section 1. The County Engineer (the "Engineer") is hereby directed to prepare, and file with the County Clerk preliminary plans showing a typical section of the contemplated improvements, the type or types of material, approximate thickness and wideness, and a preliminary estimate of the total cost (including all incidental cost), and a preliminary estimate of the portion of the total cost to be assessed for the acquisition and improvement of the Project, which is more particularly described as follows:

Matterhorn Drive:

From Lemmon Valley Drive to Antelope Valley Road, a distance of approximately 3.9 miles.

Section 2. Except as shown on said preliminary plans for the District the character of such improvements shall be described more particularly as the grading and paving of Matterhorn Drive, including incidental drainage facilities, signing and surveying. The pavement is to be 24 foot wide asphaltic concrete plantmix with 2 foot wide gravel shoulders on both sides; the pavement structural section is to be a minimum of 3 inches of asphalt over 6 inches of crushed granular base; the paving, drainage, signing and survey monumentation to be in accordance with the Standard Details and Specifications for Public Works Construction; and all grading, paving and incidental drainage, signing and surveying improvements to include all necessary excavations, filling, grading and appurtenances incidental thereto.

Section 3. Except as shown on the preliminary plans to be filed by the Engineer in the office of the County Clerk, the character and location of the Project shall be as described in Sections 1 and 2 hereof.

Section 4. The Engineer is hereby directed to estimate the cost of each type of construction in a lump sum or by unit process, as to such Engineer may seem most desirable for the construction, acquisition, improvement and installation of the improvements designated above. Such preliminary estimate of costs shall also include, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, printing and such other expenses as in the judgment of such Engineer are necessary or essential to the completion of such work or improvement attributable to the costs in the improvement district and the payment of the cost thereof. The entire cost of the Project is of special benefit and shall be paid by special assessment against the tracts benefited.

Section 5. The Engineer is hereby directed to prepare and file with the County Clerk an assessment plat showing the area to be assessed, the market value and a description of each tract, the name and address of each owner, and the amount of estimated maximum benefits to be assessed against each tract as a unit lot or per lot basis, i.e., assessments are to be levied against each tract or parcel of land within the boundaries of the District on a unit lot or per lot basis. Such estimated benefits may be shown by an addendum to the plat placed on file with the Clerk, which may be designated as the preliminary assessments roll or tabulation of parcels. An equitable adjustment will be made for assessments to be levied against wedge or V or other irregularly shaped lots or lands, if any, and for any tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. In any event, the assessments shall be against all lots benefited by the Project proportionally to benefits received. Such basis of assessments is hereby designated by the Board.

Section 6. The boundaries of the District shall be the street to be improved as designated above and the parcels of land (identified by Assessment Parcel numbers) shown on attachment No. 1 placed on file with the Clerk.

Section 7. The officers of the County are directed to effectuate the provisions of this resolution.

Section 8. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 9. The invalidity of any provisions of its resolution shall not affect any remaining provisions hereof.

Section 10. The Board of County Commissioners has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

On motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Bond be authorized to execute:

RESOLUTION NO. 97-1240

A RESOLUTION DIRECTING THE ENGINEERS ON BEHALF OF THE COUNTY TO PREPARE AND FILE WITH THE COUNTY CLERK PRELIMINARY PLANS AND AN ASSESSMENT PLAT IN CONNECTION WITH A PROPOSED STREET PROJECT IN SPECIAL ASSESSMENT DISTRICT NO. 27 (OSAGE ROAD/PLACERVILLE ROAD), FOR THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT IN WASHOE COUNTY PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENT LAW, AND ALL LAWS AMENDATORY THEREOF AND SUPPLEMENTAL THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") in the State of Nevada is of the opinion and has determined and does hereby declare that the interest of the County of Washoe requires the acquisition and improvement of a street project as defined in NRS 271.225 (the "Project"); and

WHEREAS, for the purpose of designation and identification it is desirable that the hereinafter described Project be known and identified as "Washoe County, Nevada, Special Assessment District No. 27 (Osage Road/Placerville Road)" (the "Improvement District" or "District").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA;

Section 1. The County Engineer (the "Engineer") is hereby directed to prepare and file with the County Clerk preliminary plans showing a typical section of the contemplated improvements, the type or types of material, approximate thickness and wideness, and a preliminary estimate of the total cost (including all incidental cost), and a preliminary estimate of the portion of the total cost to be assessed for the acquisition and improvement of the Project, which is more particularly described as follows:

Unit 1: Osage Road

From the end of the existing project northerly approximately 2,000 linear feet, including two unnamed Cul-de-sacs, each of which are approximately 500 feet in length.

Unit 2: Placerville Road:

From Red Rock Road easterly approximately 4,020 feet

Section 2. Except as shown on said preliminary plans for the District the character of such improvements shall be described more particularly as the grading and paving of Osage Road (including two unnamed Cul-de-sacs) and Placerville Road, including incidental drainage ditches, culverts, headwalls and rip rap, signing and surveying. The pavement is to be 22 foot wide asphaltic concrete plantmix with 2 foot wide gravel shoulders on both sides; the pavement structural section is to be a minimum of 3 inches of asphalt over 6 inches of crushed granular base; the paving, drainage, signing and survey monumentation to be in accordance with the Standard Details and Specifications for Public Works Construction; and

all grading, paving and incidental drainage, signing and surveying improvements to include all necessary excavations, filling, grading and appurtenance incidental thereto.

Section 3. Except as shown on the preliminary plans to be filed by the Engineer in the office of the County Clerk, the character and location of the Project shall be as described in Sections 1 and 2 hereof.

Section 4. The Engineer is hereby directed to estimate the cost of each type of construction in a lump sum or by unit process, as to such Engineer may seem most desirable for the construction, acquisition, improvement and installation of the improvements designated above. Such preliminary estimate of costs shall also include, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, printing and such other expenses as in the judgment of such Engineer are necessary or essential to the completion of such work or improvement attributable to the costs in the improvement district and the payment of the cost thereof. The entire cost of the Project is of special benefit and shall be paid by special assessment against the tracts benefited.

Section 5. The Engineer is hereby directed to prepare and file with the County Clerk an assessment plat showing the area to be assessed, the market value and a description of each tract, the name and address of each owner, and the amount of estimated maximum benefits to be assessed against each tract on a frontage or front feet, i.e., assessments are to be levied against each tract or parcel of land within the boundaries of the District on the basis of the number of linear feet of such parcel fronting on the improvements being constructed. Costs shall be separately assessed in Unit 1 and Unit 2. Such estimated benefits may be shown by an attached addendum to the plat, placed on file with the Clerk, which may be designated as the preliminary assessments roll or tabulation of parcels. An equitable adjustment will be made for assessments to be levied against wedge or V or other irregularly shaped lots or lands, if any, and for any tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. In any event, the assessments shall be against all lots benefited by the Project proportionally to benefits received. Such basis of assessments is hereby designated by the Board.

Section 6. The boundaries of the District shall be the streets to be improved and the lots fronting along those streets.

Section 7. The officers of the County are directed to effectuate the provisions of this resolution.

Section 8. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 9. The invalidity of any provisions of its resolution shall not affect any remaining provisions hereof.

Section 10. The Board of County Commissioners has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

97-1241 ACCEPTANCE OF DONATION - AUDIO/VISUAL EQUIPMENT SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the following donation of miscellaneous audio/visual equipment purchased via the inmate commissary fund be accepted with no cost to the taxpayer.

| Item: | Model Number | Serial Number |
|-------------------------|--------------|---------------|
| One RCA TV/VCR | T19060GY | 73971589 |
| One RCA TV/VCR | T19060GY | 73971590 |
| One set Advent speakers | AV270 | DV-9319B |
| One Toshiba TV | CE27G15 | 85552890 |
| One Sharp VCR | VCH972U | 709926675 |
| One Sharp VCR | VCA573U | 707840081 |
| One Sharp VCR | VCA573U | 707843900 |
| One Panasonic TV | PVM2037 | J7AC24352 |

97-1242 ACCEPTANCE OF DONATION - CHAMPION AIR COMPRESSOR - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Camp, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the donation of one Champion Air Compressor, Model No. HRA 20-250, Serial No. R70A12692, purchased via the inmate commissary fund be accepted with no cost to the taxpayer.

97-1243 RATIFICATION - COLLECTIVE BARGAINING AGREEMENT - SHERIFF'S DEPUTIES ASSOCIATION

Howard Reynolds, Assistant County Manager, reviewed information contained in an agenda memorandum concerning this item and commended the Sheriff's Chief Negotiator, Walter Tarantino, for reaching an agreement within four sessions.

On motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the Collective Bargaining Agreement with the Washoe County Sheriff's Deputies Association for the period January 1, 1998 through December 31, 2000 be ratified.

97-1244 REJECTION OF BID - BID NO. 2041-98 - RESURFACING - SUN VALLEY SWIMMING POOL DECK - PARKS

This was the time to consider award of bid, Notice of Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on October 28, 1997, for resurfacing of the Sun Valley Swimming Pool on behalf of the Parks and Recreation Department. Proof was made the due and legal Notice had been given.

A bids, copy of which was placed on file with the Clerk, was received from the following vendor:

Brenco Specialty Flooring

Surface System, Inc. submitted a disqualified bid and Anchor Concrete Co., C.B. Concrete Co., Inc., Custom Concrete Cutting and Valley Concrete Company failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that all bids for Resurfacing of the Sun Valley Swimming Pool Deck on behalf of the Parks and Recreation Department be rejected.

It was noted that the square footage figure provided to bidders was significantly high resulting in the only qualified bid exceeding the Parks & Recreation Department's budgeted amount of \$34,000; that the only other bid received was rejected due to failure of the bidder to furnish a required bid surety at time of the bid opening; that the bid was above the budgeted amount as well; and that a new invitation to bid has been released.

97-1245 REQUEST FOR PROPOSAL - RFP #2047-98 - ACTUARIAL SERVICES - SELF-FUNDED BENEFITS PLANS (FY 1997/98) - RISK MANAGEMENT

This was the time to consider request for proposals, Notice to Proposers for receipt of sealed proposals having been published in the Reno Gazette-Journal on November 3, 1997, for RFP #2047-98 for Actuarial Services for the Self-Funded Benefits Plan (FY 1997/98) on behalf of Risk Management. Proof was made the due and legal Notice had been given.

Request for Proposals were received from the following respondents:

- Milliman & Robertson, Inc.
- Deloitte & Touche, LLP

Upon recommendation of Ray Sibley, Risk Manager, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that RFP #2047-98 for Actuarial Services related to Self-funded Benefits Plans for Fiscal Year 1997/98 on behalf of Risk Management, be awarded to Milliman & Robertson, Inc., and that the Risk Manager be authorized to execute an agreement for a three-year period with the option to renew for two additional one-year periods.

It was noted that the proposals were evaluated by members of the Risk Management staff based on proposal response, qualifications of proposer and proposed cost of the project; that based on the analysis of the information provided, it was determined that Milliman & Robertson, Inc., more appropriately met the needs of the County; that the proposal and agreement will result in an approximate cost of \$10,000 for the initial study completed in fiscal year 1997/98; and that additional services requested by the County will be reviewed with a cost figure to be agreed upon prior to completion.

97-1246 BILL NO. 1179 - AMENDING CHAPTER 110 - DEVELOPMENT CODE - MODIFYING STREET DESIGN STANDARDS

Michael Harper, Department of Community Development, reviewed discussion held at yesterday's caucus regarding concerns expressed by the Regional Transportation Commission concerning construction standards for arterial streets stating that it had been suggested that this could be added to the ordinance and heard upon the second reading scheduled for January 13, 1998.

Mr. Harper then answered questions of the Board concerning proposed modifications to Article 420, Storm Drainage Standards, which proposes to change from a 10-year storm event to a 5-year storm event. Mr. Harper explained that the City of Reno and Sparks have always used a 5-year

event; that the County has utilized a 10-year event; that when drainage systems are designed for a 10-year event, the result is a larger pipe connecting into a smaller pipe resulting in uneven flows and the potential for water backing up into the system causing overflow problems; and that the County is out of sync with the two cities in this regard.

Commissioner Camp stressed the importance of regionalizing specifications between all entities and Steve Walker, Water Management Planner, explained that this ordinance would help implement suggestions and recommendations within the Regional Water Plan; and that a Drainage Design Manual is being developed by the County at this time.

County Manager John MacIntyre advised that the Development Services Advisory Committee (DSAC) is composed of staff from the County, Truckee Meadows Fire Protection District, the District Health Department, Engineering and Public Works; that the committee met with representatives of the development community who brought to the County's attention that their standard was different than the two cities; that they brought forward proposals which were reviewed extensively by County staff; and that DSAC endorsed the concept of making the change with regard to the drainage standards as a way to provide uniformity. Mr. MacIntyre also noted that during the course of various meetings, all three entities adopted the "Orange Book" which provides for basic public works specifications and standards for various public works structures and improvements. Mr. MacIntyre then suggested that the Board met in a workshop session with members of DSAC and the development community to hear their viewpoint regarding this issue.

Assistant District Attorney Madelyn Shipman stated that the Board may opt to introduce this bill as amended, exclude Article 420, Storm Drainage Standards and rewrite the ordinance amending RTC Street Standards into Article 436 and proceed with the street designs standards portion of the bill.

Bill No. 1179, entitled "AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE (DEVELOPMENT CODE) TO AMEND ARTICLE 436 STREET DESIGN STANDARDS, AND OTHER MATTERS PERTAINING THERETO" was introduced as amended by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

Mr. Harper advised that he will work with the County Manager and make arrangements for a workshop concerning the storm drainage issue.

97-1247 BILL NO. 1180 - AMENDING CHAPTER 110 - DEVELOPMENT CODE - MODIFYING ANTENNA PROVISIONS

Bill No. 1180, entitled "AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE (DEVELOPMENT CODE) TO AMEND DIVISION 3, CONTENTS; ARTICLE 300, REGULATION OF USES: TITLE AND CONTENTS; ARTICLE 302, ALLOWED USES; ARTICLE 304, USE CLASSIFICATION SYSTEM; ARTICLE 324, ANTENNAS; ARTICLE 402, DENSITY/INTENSITY STANDARDS; AND OTHER MATTERS PERTAINING THERETO" was introduced by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

97-1248 APPOINTMENT - ORGANIZATIONAL EFFECTIVENESS COMMITTEE - COMMUNITY DEVELOPMENT

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Kimberly Cooney be appointed as an at-large member to the Organizational Effectiveness Committee, with a term to expire December 31, 2000.

97-1249 APPOINTMENT - EAST WASHOE VALLEY CITIZEN BOARD - COMMUNITY DEVELOPMENT

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Don Harmer be appointed as an at-large representative to the East Washoe Valley Citizen Advisory Board, with a term to expire June 30, 1999.

97-1250 RESTORATION - 1925 BUICK 4-DOOR VEHICLE - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the complete restoration of a 1925 Buick 4-door vehicle once used as a police vehicle at the Washoe County Sheriff's Office be authorized.

It was noted that restoration costs will be paid for with Federal Forfeiture Funds (15141D-7849) and will approximate \$15,000.

97-1251 MODIFICATIONS - JUSTICE COURT COMPENSATION PLAN

Upon recommendation of Joanne Ray, Chief of Personnel, Dona Jeppson, Court Administrator, Reno Justice Court and Carol Jeakins, Court Administrator, Sparks Justice Court, on motion by Commissioner Mouliot, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that modifications to the Justice Court Compensation Plan, placed on file with the Clerk, be approved as follows:

ADDITION OF NEW CLASSIFICATIONS:

| | | |
|-------------------------|-----------------|-----------------------------|
| 1) Lead Bailiff | \$14.95 - 20.03 | (\$31,096.00 - \$41,662.40) |
| 2) Interpreter/Clerk | \$12.29 - 16.50 | (\$25,563.20 - \$34,320.00) |
| 3) Computer Coordinator | \$15.09 - 20.21 | (\$31,387.20 - \$42,036.80) |

DELETION OF EXISTING CLASSIFICATION:

| | | |
|-------------------------------------|-----------------|-----------------------------|
| 1) Court Clerk/Computer Coordinator | \$14.22 - 19.09 | (\$29,577.60 - \$39,707.20) |
|-------------------------------------|-----------------|-----------------------------|

REVISION OF EXISTING SALARY RANGE:

| | |
|---------------------|---|
| 1) Office Assistant | From: \$ 9.32 - 11.33 (\$19,385.60 - \$23,566.40) |
| | To: \$ 9.32 - 12.60 (\$19,385.60 - \$26,208.00) |

97-1252 GOLF COURSE REVENUE SUFFICIENCY FINDINGS - 1998 CALENDAR YEAR FEE SCHEDULE

Upon recommendation of Tyrone Brooks, Finance Division, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the golf course revenue sufficiency findings which state that the golf course fee schedule is sufficient to pay for annual operation and maintenance expenses, annual debt service and any other amounts including operation and maintenance reserves, capital reserves, and prior deficiencies relating to gross revenues be approved; and that the Calendar Year 1998 Golf Course Fee Schedule, placed on file with the Clerk, be acknowledged.

97-1253 ADOPTION - DEFERRED COMPENSATION PLAN - PERSONNEL

Upon recommendation of Joanne Ray, Chief of Personnel, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that a revised Deferred Compensation Plan for Washoe County which was placed on file with the Clerk, be adopted as recommended by staff.

97-1254 UNBUDGETED CAPITAL OUTLAY - GIS EQUIPMENT - AUTOCAD SOFTWARE & GLOBAL POSITIONING SYSTEM UPGRADES - WATER RESOURCES

Upon recommendation of Steve Walker, Water Management Planner, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that an unbudgeted capital outlay for the purchase of the following equipment be authorized:

- (1) Three Dell personal computers with 128 MG of RAM in the approximate amount of \$18,000.
- (2) The upgrade of (1) Autocad license to Rel. 14 for \$350 and two Rel. 14 Software packages in the amount of \$4,126.00
- (3) Software update agreements for two GPS Units in the amount of \$1,500.00.

97-1255 REFUND OF APPLICATION FEES - COMPREHENSIVE PLAN AMENDMENT - LEMMON VALLEY LAND CO. - COMMUNITY DEVELOPMENT

Mike Harper, Department of Community Development, reviewed background information contained in an agenda memorandum regarding this item advising that Lemmon Valley Land Co. (LVLC) is requesting a full refund of a Comprehensive Plan Amendment application fee in the amount of \$17,000.00. He explained that Melissa Lindell, Pyramid Engineers, requested the refund and referred to her correspondence dated December 5, 1997 which explained that prior to May 26, 1993, zoning on Lemmon Valley Land Company's property allowed for the development of 2,147ñ residential units on the property; that a new land use designation reduced the development potential to approximately 370ñ units; that over the past year the LVLC participated in a Visioning Study through the County and provided funding in the amount of \$24,000 to the County for this purpose; that the Study was selected in lieu of pursuing the use of their pre-1993 zoning or applying for a Comprehensive Plan Amendment prior to June 30, 1997; that in April 1997, the Board recognized the visioning study efforts and included LVLC property into the County's extended transition period; that the pre-1993 zoning would remain in effect until either a Specific Plan Area or a different land-use designation for the property is adopted; that the visioning process was recently completed and the study was endorsed by the North Valleys Citizens Advisory Board and the Planning Commission; that on September 12, 1997 Pyramid submitted an application to formalize the study through the Comprehensive Plan Amendment process in the amount of \$17,000; that the fees for the application were \$17,000; and that they believe they are eligible for the refund for these reasons.

Commissioner Camp disclosed that although her company does business with Pyramid Engineers this would not effect her decision in this matter.

Dean Diederich, Department of Community Development, stated that staff analyzes comprehensive plan amendments utilizing three basic components (1) how do they match the vision for the community (2) how do they address land use compatibility issues and (3) and how do they

address infrastructure issues; that his impression is that two of the three components are clearly met with the Visioning Study; that LVLC has given them the vision of how the community feels and how it should be developed; that they have taken a giant step forward in terms of the analysis that staff would have had to undertake; that he does have a concern about infrastructure issues; and that he would suggest that the applicant be responsible for paying a portion of fees to the Engineering Department, the District Health Department, the Parks Department and the Utility Division approximating \$1500.00 and not collect a \$10.00 per-acre fee.

Commissioner Mouliot stated that LVLC should not be charged fees that the County has incurred and previously agreed to pay; and that the applicant should not be charged for fees already paid for in the study.

Commissioner Shaw moved to provide a refund to Lemmon Valley Land Company less fees in the amount of \$1,532.00 and Commissioner Galloway seconded the motion. Commissioners Bond and Mouliot voted "no," and the motion died as a refund requires a unanimous vote of the Board.

On motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that a full refund of Application Fees for Comprehensive Plan Amendment for Lemmon Valley Land Company in the amount of \$17,000.00 be authorized.

97-1256 RESOLUTION INITIATING AMENDMENT - WASHOE COUNTY COMPREHENSIVE PLAN & DEVELOPMENT CODE - SOUTH VALLEYS WATER RESOURCE REQUIREMENTS

Dean Diederich, Department of Community Development, reviewed background information contained in a staff report and answered questions of the Board concerning this item. Mr. Diederich explained that this request has no direct bearing on or relationship to any specific applications submitted to the County to date specifically the Ophir Lake Subdivision request which is a site review process currently being considered by the Regional Water Planning Commission; that they have had several property owners approach staff expressing concerns regarding language contained in policy SV.4.1 which requires dedication of certificated ground water rights in a variety of hydrographic basins encompassing the South Valleys planning area including the Washoe Lake, Pleasant Valley and the South Central Truckee Meadows hydrographic basins as well as Eagle Canyon.

Mr. Diederich discussed new language contained in SV.4.5 explaining that the language is almost identical to language contained within the adopted North Valleys Area Plan; that the language was initiated from the North Valleys Citizens Advisory Board; and that staff felt that it was important to duplicate that in the South Valleys as there is land currently designated low density suburban which could be further subdivided in three of the four hydrographic basins.

Debbie Sheltra, a resident of Washoe Valley, stated that she did not believe the language in SV.4.5 should be duplicated in the South Valleys; that their plan has specific language about keeping community sewer and water out and retaining their zoning as large as it is; that they have specific language about not lessening the few areas that do have one-acre zones; that they have systems that are working such as Lightning W Ranch and the Franktown Equestrian Center and other alternative systems; that they feel this is an attack on the South Valleys Area Plan; and that this should be done during the regular updating of the South Valleys Area Plan.

Following discussion, on motion by Commissioner Camp, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond

ordered that this item be continued to allow staff sufficient time to meet with the Pleasant Valley and East and West Washoe Valley Citizen Advisory Boards in coordination with the Department of Water Resources to address their concerns.

97-1257 SPECIAL USE PERMIT CASE NO. SPW7-35-97 - BOOMTOWN HOTEL/CASINO

Ron Kilgore, Department of Community Development, discussed proposed language changes, findings and conditions of approval for the following Boomtown projects:

1. Special Use Permit Case No. SPW7-35-97 (Boomtown Hotel/Casino)
2. Tentative Map Case No. TM7-13-97 with Site Review (Boomtown Office Park)
3. Site Review Case No. SR7-21-97 (Boomtown Nature Center)
4. Site Review Case No. SR7-22-97 (Boomtown Gas Station)

Tom Gallagher representing Summit Engineering responded to questions regarding financial contributions concerning the Lawton-Verdi Interceptor and Debbie Schoenberg, Landscape Architect, addressed concerns expressed by Commissioner Mouliot concerning landscaping issues relating to tree planting on the project site.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Special Use Permit Case No. SPW7-35-97 (Boomtown Hotel/Casino) be approved subject to the following findings and conditions:

FINDINGS

1. That as conditioned, the proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the Verdi Area Plan;
2. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities will be constructed on the site, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination can be made in accordance with Division Seven;
3. That the proposed site is physically suitable for the type and intensity of development;
4. That as conditioned, the project will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the surrounding area; and,
5. That the Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

CONDITIONS

UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS

PRIOR TO SUBMITTAL FOR A BUILDING PERMIT. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE APPLICANT, HIS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THEY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

1. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit, except as modified by the Washoe County Commission action for approval of the special use permit. The Department of Community Development shall be responsible for determining compliance with this condition.
2. The applicant shall apply for a building permit for the proposed hotel tower within four years from the date of approval by the Truckee Meadows Regional Planning Commission or Governing Board. Should this permit not be issued within two years after its submittal, the project approval shall be considered null and void.
3. A copy of the Final Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits issued by Washoe County.
4. Final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submittal.
5. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the project. Grading shall comply with best management practices and shall include detailed plans for grading and drainage on each lot, erosion control, slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.
6. All roadway improvements necessary (including but not limited to, curb, gutter, sidewalk, signing and striping, driveway access, and street lighting) to serve the project shall be designed and constructed to county standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.
7. As part of the building plan review process, the applicant shall present evidence of compliance with the recommendations of the RTC regarding transit facilities, a park and ride lot, and an employer trip reduction program. Compliance with this condition shall be determined by the Department of Community Development.

8. After an engineering analysis and consultation with the Verdi CAB, the applicant, and affected residents, the County Engineer shall determine what improvements to South Verdi Road are necessary. The applicants shall provide financial assurances to guarantee the construction of the required improvements. The County Engineer shall determine compliance with this condition.
9. Provided that the applicant can obtain an access easement from the property owner, the applicant shall include a plan for public pedestrian access to the Truckee River with the submittal of building plans. A minimum of 20 parking spaces shall be made available for public use of this access. This access plan shall be approved by the Department of Community Development and completed prior to issuance of a certificate of occupancy for the hotel tower. The internal trail network shown on the applicant's conceptual master landscape plan shall be open to the public and connect to the trail head to be constructed as part of the office park development and shall be compatible with the Washoe County regional trail network. The Department of Community Development shall determine compliance with this condition.
10. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.
11. A master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County engineer for approval.
12. All storm drainage improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.
13. Any increase in stormwater runoff resulting from the development and based upon the 10-year storm shall be detained on site. The County Engineer shall be responsible for determining compliance with this condition.
14. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures, and grouted rock rip-rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the District Health Department and the Engineering Division.
15. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the Engineering Division.
16. Prior to the issuance of any administrative permit issued by Washoe County, the applicant shall remove all off-premise signs (billboards) from the project site (APN: 038-120-08, 10, and 14) and place a restrictive covenant on the property that prohibits the further erection of off-premise signs, with Washoe County made a party to the covenant. For purposes of this condition, all property owned by Boomtown and subject to the provisions of Special Use Permit Case No. SPW7-35-97, Site Review Case No. SR7-21-97 and SR7-22-97 and Tentative Map Case No. TM7-13-97 shall be considered one premise. The District Attorney's Office and the Department of Community Development shall be responsible for determining compliance with this condition.
17. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

18. Prior to any ground-disturbing activity, the applicant shall submit a landscaping/architectural design plan to the Department of Community Development for review and approval by the Design Review Committee (DRC). Said plan shall address, but not be limited to: general architectural design, type and color of building materials, parking, parking lot circulation and striping, signage, exterior lighting, fencing, trash enclosures, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained. In reviewing this landscape plan the DRC shall ensure that the design style is "natural", that a majority of the landscaping consists of evergreen trees, one third of which shall meet Development Code minimum standards and two thirds which shall be in the height range of seven to ten feet tall. Deciduous trees shall be clustered in groups to provide a natural appearance. Size of planting wells within the parking areas shall be of sufficient size to allow for growth and ensure survivability. Design of all landscaping shall be consistent with that on other properties owned by the applicant in the area and shall blend with the natural environment.

19. A letter from the water purveyor must be submitted to the Washoe County Department of Water Resources indicating the amount of water rights necessary to serve this project. Water rights in the specified amount shall be dedicated to Washoe County in accordance with Article 422. These rights will be subsequently leased to the water purveyor for use on this project.

20. The developer shall provide a minimum financial contribution and/or construction of a portion of the Lawton/Verdi Interceptor based on the ratio of the development's peak flow potential to the peak flow capacity of the Interceptor. Any excess financial contribution may be recaptured by the County and refunded to the landowners over the next 10 years to the satisfaction of the Board of County Commissioners.

21. Improvement drawings shall be in compliance with Washoe County Design Standards. The developer shall submit plans and specifications for the sanitary sewer collection system within the boundaries of the project to the Utility Division for review and approval prior to issuance of any building permit. Construction of any sewer facilities shall be inspected by the Utility Division.

22. The sanitary sewer collection system and necessary easements shall be offered for dedication to Washoe County prior to issuance of a Certificate of Occupancy.

23. The developer shall construct and/or provide the financial assurances for the construction of the sanitary sewer collection facilities. The financial assurances must be in a form and amount accepted by the Utility Services Division prior to issuance of any building permit.

24. If infrastructure such as any pump stations and interceptors, treatment and disposal facilities, are necessary to supply sewer service to the project the developer will be responsible to fund the design and construction. However, actual design will be the responsibility of the Utility Services Division. Prior to initiation of design the developer shall pay the estimated design costs to Washoe County. The Utility Services Division may either, provide such design in house, or select an outside consultant. When an outside consultant is to be selected, the Utility Services Division and the developer shall jointly select the consultant.

25. Funding of over sizing the design and infrastructure to accommodate future development as determined by accepted engineering calculations, shall be the responsibility of Washoe County. Washoe County shall either participate monetarily at the time of design and/or shall credit an appropriate number of service hook ups to the developer.

26. Sewer connection fees for commercial development will be determined upon fixture unit counts. The applicant's engineer or architect shall submit a fixture unit count for waste fixtures per the most recent edition of the Uniform Plumbing Code. These fees shall be paid prior to the issuance of a sewer will serve letter.

27. A sanitary sewer report shall be prepared by the applicant's registered engineer which addresses:

- a. the estimated sewage flows generated by this project,
- b. projected sewage flows from potential or existing development within tributary areas,
- c. the impact on capacity of existing infrastructure,
- d. proposed collection line sizes, alignment on the on site and off site, and maximum velocities, for the entire project. This must be approved by the Utility Services Division prior to project approval.

28. Retention or relocation of all public and private easements to the satisfaction of and at no expense to Washoe County or the existing public utilities or private parties which originally accepted and approved said easements as well as any other public utilities which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements and the relinquishment of the easements being replaced.

29. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

30. Unless it is enclosed within a building, closing hours for the amusement park shall be 10 PM Sunday through Thursday, and 11 PM Friday and Saturday.

31. The applicant shall construct the golf course shown on the applicant's conceptual plan with the first phase of development of the hotel/casino. No building permit for the hotel/casino shall be issued prior to application for a grading or building permit for the golf course. Design of the golf course as to its relation with other parts of the project and surrounding properties shall be reviewed by the Design Review Committee. The golf course plans and operational procedures shall be reviewed by the Department of Water Resources to assure that water quality impacts from fertilizers, herbicides and pesticides have been adequately addressed. Any conditions required by the Department of Water Resources to protect water quality shall become a part of this special use permit.

32. All parking lots shall be re-designed into 50-space parking courts. Parking courts shall be separated by a minimum width of five (5) feet of landscaped area, excluding access drive lanes. It shall be understood that should compliance with this condition reduce the amount of parking below that required by the Washoe County Development Code, an additional level may be added to the parking garage shown on the plans

approved as a part of this special use permit. Compliance with this condition shall be determined by the Department of Community Development.

33. Height of the hotel tower shall not exceed 224 as measured from grade to the highest point of the roof line.

34. Assurances acceptable to the Washoe County Departments of Water Resources and Community Development for the construction of the Lawton-Verdi interceptor shall be provided prior to issuance of a building permit for the hotel/casino.

35. Water supply for the hotel/casino shall be by means of a community water system. Surface water rights to serve the hotel/casino shall be dedicated to Washoe County.

36. The applicants shall construct a sheriff's substation, fire station, and community center to serve the project as part of the office park (TM7-13-97) on the south side of I-80. The applicant's responsibility shall be limited to 6000 square feet gross floor area. The design of these units shall be submitted to the Verdi Citizens Advisory Board for their comments. Certificates of Occupancy shall be issued for these units prior to issuance of a Certificate of Occupancy for the hotel/casino. This condition may be satisfied by the construction of the facilities on the hotel/casino site. The Department of Community Development shall determine compliance with this condition.

37. Sound emissions, as measured from the closest property line external to the project, from any source or operations on the property shall not exceed any of the following noise levels. Noise levels shall be measured as A-weighted sound pressure levels, using fast response setting on a Type I or a Type 2 sound level meter.

- a. 65 dB leq(10) during the hours of 8:00 a.m. to 10:00 p.m. from May 15th to September 15th.
- b. 55 dB leq(10) during the hours of 10:01 p.m. to 7:59 a.m. from May 15th to September 15th.
- c. 65 dB leq(10) during the hours of 8:00 a.m. to 8:00 p.m. from September 16th to May 14th.
- d. 55 dB leq(10) during the hours of 8:01 p.m. to 7:59 a.m. from September 16th to May 14th.
- e. 85 dB instantaneous maximum noise levels, measured at least three (3) times over any 10-minute period, during the hours of 8:00 a.m. to 10:00 p.m. from May 15th to September 15th.
- f. 75 dB instantaneous maximum noise levels, measured at least three (3) times over any 10-minute period, during the hours of 10:01 p.m. to 7:59 a.m. from May 15th to September 15th.
- g. 85 dB instantaneous maximum noise levels, measured at least three (3) times over any 10-minute period, during the hours of 8:00 a.m. to 8:00 p.m. from September 16th to May 14th.
- h. 75 dB instantaneous maximum noise levels, measured at least three (3) times over any 10-minute period, during the hours of 8:01 p.m. to 7:59 a.m. from September 16th to May 14th.
- i. 120 dB instantaneous peak measures at any time.

One violation of any of these sound emission standards during a six (6) month period shall result in a Notice of Violation which may be resolved with the submittal of a compliance plan from the business manager of the property, to the satisfaction of the Washoe County Department of Community Development. Two violations of any of these sound emission standards during a six (6) month period shall result in the immediate revocation of operational permits to conduct any outdoor entertainment events until a revised noise compliance plan is adopted by the Washoe

County Planning Commission for future operations on the property. This condition shall be enforced by the Department of Community Development.

The applicant shall purchase and deliver to Washoe County one Larson Davis model 870B sound meter and associated equipment and SWW-ENV software or equivalent, and shall provide up to \$1000 dollars for staff training in its use prior to issuance of a Certificate of Occupancy or final inspection for the amusement park or amphitheater. Prior to commencement of construction for any part of the project, the applicant shall complete a noise study which establishes background noise levels at a maximum of four reference locations selected in conjunction with the Department of Community Development.

38. Building plans shall be reviewed by a fire protection engineer licensed by the State of Nevada and shall comply with all state and local fire protection requirements.

39. In order to achieve the required adequate radio coverage for police and emergency services, the Boomtown hotel tower shall be equipped with either a radiating cable system or an internal multiple antenna system with or without FCC type accepted bi-directional 800 Mhz amplifiers as needed. If any part of the installed system or systems contains an electrically powered component, the system shall be capable of operating on an independent battery and/or generator system for a period of at least 12 hours without external power input. Building permit plans for the radiating cable system or an internal multiple antenna system shall be reviewed and approved by the County Telecommunications Division. County Telecommunications Division personnel, after providing reasonable notice to the owner or owner's representative, shall have the right to enter the property to conduct field testing to be certain that the required level of radio coverage is present. County Telecommunications Division personnel, after providing reasonable notice to the owner or owner's representative, shall have the right to enter the property to conduct field testing to be certain that the required level of radio coverage is present.

40. There shall be no outline or exterior lighting on the hotel/casino or parking garage above the second floor. Except for that required for safety reasons, there shall be no exterior lighting on the amusement park rides. The Department of Community Development shall determine compliance with this condition.

41. The Washoe County Board of County Commissioners accepts the offer of the applicant or its successors to contribute no more than \$1 million to improve the Mogul Road bridge and its access road.

97-1258 SITE REVIEW CASE NO. SR7-21-97 - BOOMTOWN NATURE CENTER

On motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that Site Review Case No. SR7-21-97 (Boomtown Nature Center) be approved subject to the following findings and conditions:

FINDINGS

1. That, as conditioned, approval of this application will not prevent adjacent properties from developing in accordance with the Verdi Area Plan and the Washoe County Development Code;

2. That the Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

CONDITIONS

UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE APPLICANT, HIS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THEY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

1. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Department of Community Development shall be responsible for determining compliance with this condition.
2. A copy of the Final Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits issued by Washoe County.
3. Prior to the issuance of any administrative permit issued by Washoe County, the applicant shall remove all off-premise signs (billboards) from the project site (APN: 38-120-10) and place a restrictive covenant on the property that prohibits the further erection of off-premise signs, with Washoe County made a party to the covenant. For purposes of this condition, all property owned by Boomtown and subject to the provisions of Special Use Permit Case No. SPW7-35-97, Site Review Case No. SR7-21-97 and SR7-22-97 and Tentative Map Case No. TM7-13-97 shall be considered one premise. The District Attorney's Office and the Department of Community Development shall be responsible for determining compliance with this condition.
4. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

5. Prior to any ground-disturbing activity, the applicant shall submit a landscaping/architectural design plan to the Department of Community

Development for review and approval by the Design Review Committee (DRC). Said plan shall address, but not be limited to: general architectural design, type and color of building materials, parking, parking lot circulation and striping, signage, exterior lighting, fencing, trash enclosures, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained. In reviewing this landscape plan the DRC shall ensure that the design style is "natural", that a majority of the landscaping consists of evergreen trees, one third of which shall meet Development Code minimum standards and two thirds which shall be in the height range of seven to ten feet tall. Deciduous trees shall be clustered in groups to provide a natural appearance. Size of planting wells within the parking areas shall be of sufficient size to allow for growth and ensure survivability. Design of all landscaping shall be consistent with that on other properties owned by the applicant in the area and shall blend with the natural environment.

6. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submittal.

7. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the Utility Division and/or Engineering Division a complete set of reproducible 'as built' construction drawings prepared by a civil engineer registered in the State of Nevada.

8. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the tentative map. Grading shall comply with best management practices and shall include detailed plans for grading and drainage on each lot, erosion control, slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.

9. All roadway improvements necessary (including but not limited to, curb, gutter, sidewalk, signing and striping, driveway access, and street lighting) to serve the project shall be designed and constructed to county standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.

10. For the Boomtown Road extension, Mortensen Circle, and Grizley Drive the minimum face of curb to face of curb width shall be 40 feet. A traffic report shall be submitted for the Boomtown Office Park, the Museum, and the Gas Station which includes ADT's at buildout for these projects prior to issuance of any building permit. Street width will be increased if indicated by the report. The report shall also include recommendations for driveway widths, curb radius for truck traffic and storage lanes as needed.

11. The roadway structural section shall be a minimum of 4 inches of asphalt over 6 inches of base. A geotechnical analysis/report shall be performed if a thicker section of pavement is required based on estimated truck loadings at buildout and a 20 year design life.

12. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.

13. A master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County engineer for approval.

14. All storm drainage improvements necessary to serve the project shall be designed and constructed to County standards and specifications

and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.

15. Any increase in stormwater runoff resulting from the development and based upon the 10-year storm shall be detained on site. The County Engineer shall be responsible for determining compliance with this condition.

16. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures, and grouted rock rip-rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the District Health Department and the Engineering Division.

17. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the Engineering Division.

18. For all projects larger than five acres, the developer shall obtain a Stormwater Discharge Permit from the Nevada Division of Environmental Protection (NDEP), and a copy of said permit shall be submitted to the County Engineer prior to construction. The Stormwater Pollution Prevention Plan, as approved by NDEP, shall be included with the construction improvement drawings.

19. A letter from the water purveyor must be submitted to his division indicating the amount of water rights necessary to serve this project. Water rights in the specified amount shall be dedicated to Washoe County in accordance with Article 422. These rights will be subsequently leased to the water purveyor for use on this project.

20. The developer shall provide a minimum financial contribution and/or construction of a portion of the Lawton/Verdi Interceptor based on the ratio of the development's peak flow potential to the peak flow capacity of the Interceptor. Any excess financial contribution may be recaptured by the County and refunded to the landowners over the next 10 years to the satisfaction of the Board of County Commissioners.

21. Improvement drawings shall be in compliance with Washoe County Design Standards. The developer shall submit plans and specifications for the sanitary sewer collection system within the boundaries of the project to the Utility Division for review and approval prior to issuance of any building permit. Construction of any sewer facilities shall be inspected by the Utility Division.

22. The sanitary sewer collection system and necessary easements shall be offered for dedication to Washoe County prior to issuance of a Certificate of Occupancy.

23. The developer shall construct and/or provide the financial assurances for the construction of the sanitary sewer collection facilities. The financial assurances must be in a form and amount accepted by the Utility Services Division prior to issuance of any building permit.

24. If infrastructure such as any pump stations and interceptors, treatment and disposal facilities, are necessary to supply sewer service to the project the developer will be responsible to fund the design and construction. However, actual design will be the responsibility of the Utility Services Division. Prior to initiation of design the developer shall pay the estimated design costs to Washoe County. The Utility Services Division may either, provide such design in house, or select an outside consultant. When an outside consultant is to be selected, the Utility

Services Division and the developer shall jointly select the consultant.

25. Funding of over sizing the design and infrastructure to accommodate future development as determined by accepted engineering calculations, shall be the responsibility of Washoe County. Washoe County shall either participate monetarily at the time of design and/or shall credit an appropriate number of service hook ups to the developer.

26. Sewer connection fees for commercial development will be determined upon fixture unit counts. The applicant's engineer or architect shall submit a fixture unit count for waste fixtures per the most recent edition of the Uniform Plumbing Code. These fees shall be paid prior to the issuance of a sewer will serve letter.

27. A sanitary sewer report shall be prepared by the applicant's registered engineer which addresses:

- a. the estimated sewage flows generated by this project,
- b. projected sewage flows from potential or existing development within tributary areas,
- c. the impact on capacity of existing infrastructure,
- d. proposed collection line sizes, alignment on the on site and off site, and maximum velocities, for the entire project. This must be approved by the Utility Services Division prior to project approval.

28. Retention or relocation of all public and private easements to the satisfaction of and at no expense to Washoe County or the existing public utilities or private parties which originally accepted and approved said easements as well as any other public utilities which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements and the relinquishment of the easements being replaced.

29. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

30. As part of the building plan review process, the applicant shall present evidence of compliance with the recommendations of the RTC regarding transit facilities, a park and ride lot, and an employer trip reduction program. Compliance with this condition shall be determined by the Department of Community Development.

97-1259 SITE REVIEW CASE NO. SR7-22-97 - (BOOMTOWN GAS STATION)

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Site Review Case No. SR7-22-97 (Boomtown Gas Station) be approved subject to the following findings and conditions:

FINDINGS

1. That approval of this application will not prevent adjacent properties from developing in accordance with the Verdi Area Plan and the

2. That the Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

CONDITIONS

UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE APPLICANT, HIS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THEY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

1. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Department of Community Development shall be responsible for determining compliance with this condition.
2. A copy of the Final Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits issued by Washoe County.
3. Prior to the issuance of any administrative permit issued by Washoe County, the applicant shall remove all off-premise signs (billboards) from the project site (APN: 38-120-10) and place a restrictive covenant on the property that prohibits the further erection of off-premise signs, with Washoe County made a party to the covenant. . For purposes of this condition, all property owned by Boomtown and subject to the provisions of Special Use Permit Case No. SPW7-35-97, Site Review Case No. SR7-21-97 and SR7-22-97 and Tentative Map Case No. TM7-13-97 shall be considered one premise. The District Attorney's Office and the Department of Community Development shall be responsible for determining compliance with this condition.
4. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

5. Prior to any ground-disturbing activity, the applicant shall submit a landscaping/architectural design plan to the Department of Community Development for review and approval by the Design Review Committee (DRC). Said plan shall address, but not be limited to: general architectural design, type and color of building materials, parking, parking lot circulation and striping, signage, exterior lighting, fencing, trash enclosures, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained. In reviewing this landscape plan the DRC shall ensure that the design style is "natural", that a majority of the landscaping consists of evergreen trees, one third of which shall meet Development Code minimum standards and two thirds which shall be in the height range of seven to ten feet tall. Deciduous trees shall be clustered in groups to provide a natural appearance. Size of planting wells within the parking areas shall be of sufficient size to allow for growth and ensure survivability. Design of all landscaping shall be consistent with that on other properties owned by the applicant in the area and shall blend with the natural environment.

6. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submittal.

7. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the Utility Division and/or Engineering Division a complete set of reproducible 'as built' construction drawings prepared by a civil engineer registered in the State of Nevada.

8. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the tentative map. Grading shall comply with best management practices and shall include detailed plans for grading and drainage on each lot, erosion control, slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.

9. All roadway improvements necessary (including but not limited to, curb, gutter, sidewalk, signing and striping, driveway access, and street lighting) to serve the project shall be designed and constructed to county standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.

10. For the Boomtown Road extension, Mortensen Circle, and Grizley Drive the minimum face of curb to face of curb width shall be 40 feet. A traffic report shall be submitted for the Boomtown Office Park, the Museum, and the Gas Station which includes ADT's at buildout for these projects prior to issuance of any building permit. Street width will be increased if indicated by the report. The report shall also include recommendations for driveway widths, curb radius for truck traffic and storage lanes as needed.

11. The roadway structural section shall be a minimum of 4 inches of asphalt over 6 inches of base. A geotechnical analysis/report shall be performed if a thicker section of pavement is required based on estimated truck loadings at buildout and a 20 year design life.

12. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.

13. A master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County engineer for approval.

14. All storm drainage improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.
15. Any increase in stormwater runoff resulting from the development and based upon the 10-year storm shall be detained on site. The County Engineer shall be responsible for determining compliance with this condition.
16. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures, and grouted rock rip-rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the District Health Department and the Engineering Division.
17. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the Engineering Division.
18. For all projects larger than five acres, the developer shall obtain a Stormwater Discharge Permit from the Nevada Division of Environmental Protection (NDEP), and a copy of said permit shall be submitted to the County Engineer prior to construction. The Stormwater Pollution Prevention Plan, as approved by NDEP, shall be included with the construction improvement drawings.
19. A letter from the water purveyor must be submitted to his division indicating the amount of water rights necessary to serve this project. Water rights in the specified amount shall be dedicated to Washoe County in accordance with Article 422. These rights will be subsequently leased to the water purveyor for use on this project.
20. The developer shall provide a minimum financial contribution and/or construction of a portion of the Lawton/Verdi Interceptor based on the ratio of the development's peak flow potential to the peak flow capacity of the Interceptor. Any excess financial contribution may be recaptured by the County and refunded to the landowners over the next 10 years to the satisfaction of the Board of County Commissioners.
21. Improvement drawings shall be in compliance with Washoe County Design Standards. The developer shall submit plans and specifications for the sanitary sewer collection system within the boundaries of the project to the Utility Division for review and approval prior to issuance of any building permit. Construction of any sewer facilities shall be inspected by the Utility Division.
22. The sanitary sewer collection system and necessary easements shall be offered for dedication to Washoe County prior to issuance of a Certificate of Occupancy.
23. The developer shall construct and/or provide the financial assurances for the construction of the sanitary sewer collection facilities. The financial assurances must be in a form and amount accepted by the Utility Services Division prior to issuance of any building permit.
24. If infrastructure such as any pump stations and interceptors, treatment and disposal facilities, are necessary to supply sewer service to the project the developer will be responsible to fund the design and construction. However, actual design will be the responsibility of the Utility Services Division. Prior to initiation of design the developer shall pay the estimated design costs to Washoe County. The Utility Services

Division may either, provide such design in house, or select an outside consultant. When an outside consultant is to be selected, the Utility Services Division and the developer shall jointly select the consultant.

25. Funding of over sizing the design and infrastructure to accommodate future development as determined by accepted engineering calculations, shall be the responsibility of Washoe County. Washoe County shall either participate monetarily at the time of design and/or shall credit an appropriate number of service hook ups to the developer.

26. Sewer connection fees for commercial development will be determined upon fixture unit counts. The applicant's engineer or architect shall submit a fixture unit count for waste fixtures per the most recent edition of the Uniform Plumbing Code. These fees shall be paid prior to the issuance of a sewer will serve letter.

27. A sanitary sewer report shall be prepared by the applicant's registered engineer which addresses:

- a. the estimated sewage flows generated by this project,
- b. projected sewage flows from potential or existing development within tributary areas,
- c. the impact on capacity of existing infrastructure,
- d. proposed collection line sizes, alignment on the on site and off site, and maximum velocities, for the entire project. This must be approved by the Utility Services Division prior to project approval.

28. Retention or relocation of all public and private easements to the satisfaction of and at no expense to Washoe County or the existing public utilities or private parties which originally accepted and approved said easements as well as any other public utilities which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements and the relinquishment of the easements being replaced.

29. Uses authorized by this Site Plan Review for the .705 acres shown as future commercial shall be limited to landscaping, additional parking, and a picnic area. Any other non residential use of this area shall require a change of land use designation.

30. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

31. As part of the building plan review process, the applicant shall present evidence of compliance with the recommendations of the RTC regarding transit facilities, a park and ride lot, and an employer trip reduction program. Compliance with this condition shall be determined by the Department of Community Development.

97-1260 TENTATIVE MAP CASE NO. TM7-13-97 WITH SITE REVIEW (BOOMTOWN OFFICE PARK)

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Tentative Map

Case. No. TM7-13-97 with Site Review (Boomtown Office Park) be approved subject to the following findings and conditions:

FINDINGS

1. That the proposed map is consistent with the Comprehensive Plan and the Verdi Area Plan;
2. That the design of the proposed subdivision is consistent with the Comprehensive Plan and the Verdi Area Plan;
3. That the site is physically suited for an office park development;
4. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System in that the developer will install a community sanitary sewer system and capacity has been reserved at the regional treatment plan;
5. That the design of the subdivision and the proposed improvements are unlikely to cause substantial and avoidable injury to any endangered plant, wildlife, or their habitat because no known endangered species exist within the project site;
6. That the design of the subdivision and the types of proposed improvements are unlikely to cause significant public health problems; in that the proposed subdivision is to be served by a community water and sewer system;
7. That the design of the subdivision will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
8. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
9. That any land or improvements to be dedicated to the County is consistent with the Comprehensive Plan;
10. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision; and
11. That the Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

CONDITIONS

UNLESS OTHERWISE STATED, PRIOR TO FINALIZATION OF ANY PORTION OF THE TENTATIVE SUBDIVISION MAP, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES TO ENSURE COMPLETION OF THE CONDITIONS MUST BE PROVIDED. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES.

A COPY OF ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL BE FILED WITH THE

DEPARTMENT OF PUBLIC WORKS AND/OR THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

THE DEVELOPER SHALL MEET WITH THE ENGINEERING DIVISION AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT AT LEAST SIXTY (60) DAYS BEFORE THE ANTICIPATED DATE OF APPROVAL BY THE PLANNING COMMISSION TO REVIEW SCHEDULING, REQUIREMENTS, FINAL CONSTRUCTION DRAWINGS, AND DOCUMENTATION NECESSARY TO ADEQUATELY COMPLY WITH THE CONDITIONS OF APPROVAL AND THE APPLICABLE STATUTES, ORDINANCES, RULES, REGULATIONS, AND POLICIES. NO FINAL MAP WILL BE SCHEDULED FOR A PLANNING COMMISSION MEETING DATE THAT IS LESS THAN SIXTY (60) DAYS FROM THE DATE OF THIS MANDATORY MEETING.

A REQUEST FOR AN EXTENSION OF TIME FOR THE RECORDING OF A FINAL MAP MUST BE SUBMITTED TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT AT LEAST SIXTY (60) DAYS PRIOR TO THE EXPIRATION DATE OF THE TENTATIVE SUBDIVISION MAP. SAID EXPIRATION IS ONE YEAR FROM THE DATE OF APPROVAL OF THE TENTATIVE MAP OR A SUBSEQUENT FINAL MAP BY THE BOARD OF COUNTY COMMISSIONERS OR, WHEN APPLICABLE, BY THE PLANNING COMMISSION.

COMPLIANCE WITH THE APPLICABLE STATUTES, ORDINANCES, RULES, REGULATIONS, AND POLICIES AND WITH THE CONDITIONS OF APPROVAL OF THIS TENTATIVE MAP IS THE RESPONSIBILITY OF THE DEVELOPER, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

GENERAL CONDITIONS

1. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submittal of the tentative map or, if requested by the developer and approved by the applicable agency, those in effect at the time of approval of the final map.
2. Final maps shall be in substantial compliance with all plans and documents submitted with and made part of this tentative map request, as may be amended by action of the final approving authority. Substantial compliance shall be determined by the applicable agency and the Department of Community Development.
3. Conditions, covenants, and restrictions (CC&R's), including any supplemental CC&R's, shall be reviewed, approved, and recorded by the District Attorney's office. The CC&R's shall require all phases and units of the subdivision approved under this tentative map to be subject to the same CC&R's, be under the authority of the same homeowners association, and be under the authority of the same architectural control committee. Said CC&R's shall specifically address maintenance of a unified design theme.
4. A note shall be placed on all grading plans and construction drawings stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

5. The final map shall designate faults that have been active during the Holocene epoch of geological time and the final map shall contain the following note:

NOTE

No habitable structures shall be located on a fault that has been active during the Holocene epoch of geological time. The Department of Community Development shall be responsible for determining compliance with this condition.

6. The developer shall be required to participate in any applicable General Improvement District or Special Assessment District formed by Washoe County. The applicable division of the Department of Public Works shall be responsible for determining compliance with this condition.

7. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the Utility Division and/or Engineering Division a complete set of reproducible 'as built' construction drawings prepared by a civil engineer registered in the State of Nevada.

8. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the tentative map. Grading shall comply with best management practices and shall include detailed plans for grading and drainage on each lot, erosion control, slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.

9. All open space shall be identified as common area on the final map. A note on the final map shall indicate that all common areas shall be privately maintained and perpetually funded by the homeowners Association. The County Engineer shall be responsible for determining compliance with this condition. The maintenance of the common areas shall also be addressed in the CC&R's to the satisfaction of the District Attorney's Office.

10. Prior to recordation of the affected final map, existing parcel lines shall be relocated through a boundary line adjustment or eliminated through a reversion to acreage, so they do not conflict with the proposed subdivision. The County Engineer shall be responsible for determining compliance with this condition.

11. Uses within the subdivision shall be limited to civic use types and the following commercial use types:

- a. Administrative Offices
- b. Building Maintenance Services
- c. Commercial Educational Services
- d. Financial Services
- e. Medical Services
- f. Personal Services
- g. Professional Services
- h. Repair Service - Consumer

I. Specialty Stores

12. The developer and all successors shall direct any potential purchaser of the site to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site. Any subsequent purchasers of the site shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser within 30 days of the final sale.

STREETS AND TRAFFIC

13. All roadway improvements necessary (including but not limited to, curb, gutter, sidewalk, signing and striping, driveway access, and street lighting) to serve the project shall be designed and constructed to county standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.

14. For the Boomtown Road extension, Mortensen Circle, and Grizley Drive the minimum face of curb to face of curb width shall be 40 feet. A traffic report shall be submitted for the Boomtown Office Park, the Museum, and the Gas Station which includes ADT's at buildout for these projects. Street width will be increased if indicated by the report. The report shall also include recommendations for driveway widths, curb radius for truck traffic and storage lanes as needed.

15. The roadway structural section shall be a minimum of 4 inches of asphalt over 6 inches of base. A geotechnical analysis/report shall be performed if a thicker section of pavement is required based on estimated truck loadings at buildout and a 20 year design life.

16. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.

17. As part of the building plan review process, the applicant shall present evidence of compliance with the recommendations of the RTC regarding transit facilities, a park and ride lot, and an employer trip reduction program. Compliance with this condition shall be determined by the Department of Community Development.

18. Prior to issuance of any building permit other than for grading or infrastructure, the applicant shall construct a paved road and trailhead providing access to the Forest Service Property to the south. Construction shall be to Forest Service standards. The Department of Community Development shall determine compliance with this condition.

DRAINAGE

19. The conditional approval of this tentative map shall not be construed as final approval of the drainage facilities shown on the tentative map. Final approval of the drainage facilities will occur during the final map review and will be based upon the final hydrology report.

20. Prior to finalization of the first final map, a master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County Engineer for approval.

21. Prior to the finalization of any portion of the tentative map, a final, detailed hydrology/hydraulic report for that unit shall be submitted to the County Engineer. All storm drainage improvements necessary to serve the project shall be designed and constructed to County standards and

specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.

22. Any increase in stormwater runoff resulting from the development and based upon the 10-year storm shall be detained on site. The County Engineer shall be responsible for determining compliance with this condition.

23. The 100-year floodplain boundaries and flood elevations shall appear on each final map. If the floodplain boundary has been changed by a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Amendment or Conditional Letter of Map Revision, the date of that letter and a note to that effect shall appear on the final map. The County Engineer shall be responsible for determining compliance with this condition. Grading or building permits shall not be issued for areas currently shown as "A" zones on the FEMA floodplain maps until a Letter of Map Amendment or Revision is submitted or until conformance with Washoe County flood construction standards is determined by the County Engineer.

24. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures, and grouted rock rip-rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the District Health Department and the Engineering Division.

25. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the Engineering Division.

26. For all subdivisions larger than five acres, the developer shall obtain a Stormwater Discharge Permit from the Nevada Division of Environmental Protection (NDEP), and a copy of said permit shall be submitted to the County Engineer prior to construction. The Stormwater Pollution Prevention Plan, as approved by NDEP, shall be included with the construction improvement drawings.

27. A subdrain system shall be installed a minimum of one foot behind the back face of any median curb to intercept drainage from the median landscaping. The system shall be tied to the storm drain system or an acceptable alternative drainage system. The County Engineer shall be responsible for determining compliance with this condition.

WATER AND WASTEWATER

28. A letter from the water purveyor must be submitted to his division indicating the amount of water rights necessary to serve this project. Water rights in the specified amount shall be dedicated to Washoe County in accordance with Article 422. These rights will be subsequently leased to the water purveyor for use on this project.

29. The developer shall provide a minimum financial contribution and/or construction of a portion of the Lawton/Verdi Interceptor based on the ratio of the development's peak flow potential to the peak flow capacity of the Interceptor. Any excess financial contribution may be recaptured by the County and refunded to the landowners over the next 10 years to the satisfaction of the Board of County Commissioners.

30. Improvement drawings shall be in compliance with Washoe County Design Standards. The developer shall submit plans and specifications for

the sanitary sewer collection system within the boundaries of the project to the Utility Division for review and approval prior to issuance of any building permit. Construction of any sewer facilities shall be inspected by the Utility Division.

31. The sanitary sewer collection system and necessary easements shall be offered for dedication to Washoe County prior to issuance of a Certificate of Occupancy.

32. The developer shall construct and/or provide the financial assurances for the construction of the sanitary sewer collection facilities. The financial assurances must be in a form and amount accepted by the Utility Services Division prior to issuance of any building permit.

33. If infrastructure such as any pump stations and interceptors, treatment and disposal facilities, are necessary to supply sewer service to the project the developer will be responsible to fund the design and construction. However, actual design will be the responsibility of the Utility Services Division. Prior to initiation of design the developer shall pay the estimated design costs to Washoe County. The Utility Services Division may either, provide such design in house, or select an outside consultant. When an outside consultant is to be selected, the Utility Services Division and the developer shall jointly select the consultant.

34. Funding of over sizing the design and infrastructure to accommodate future development as determined by accepted engineering calculations, shall be the responsibility of Washoe County. Washoe County shall either participate monetarily at the time of design and/or shall credit an appropriate number of service hook ups to the developer.

35. Sewer connection fees for commercial development will be determined upon fixture unit counts. The applicant's engineer or architect shall submit a fixture unit count for waste fixtures per the most recent edition of the Uniform Plumbing Code. These fees shall be paid prior to the issuance of a sewer will serve letter.

36. A sanitary sewer report shall be prepared by the applicant's registered engineer which addresses:

- a. the estimated sewage flows generated by this project,
- b. projected sewage flows from potential or existing development within tributary areas,
- c. the impact on capacity of existing infrastructure,
- d. proposed collection line sizes, alignment on the on site and off site, and maximum velocities, for the entire project. This must be approved by the Utility Services Division prior to project approval.

37. Retention or relocation of all public and private easements to the satisfaction of and at no expense to Washoe County or the existing public utilities or private parties which originally accepted and approved said easements as well as any other public utilities which currently utilize said easements is required. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements and the relinquishment of the easements being replaced.

FIRE PROTECTION

38. The plans submitted with a building permit application shall show evidence of compliance with the recommendations of the Nevada

Division of Forestry. Those concerns are fire flows, fire hydrant number and location, access, sequential phasing of firebreaks during development, permanent firebreaks, minimum defensible space, use of fire resistant construction and/or roof material, sprinklering of structures, and spark arrestors in chimneys. Access and fire flows concerns shall be addressed prior to the introduction of any combustible materials to the site. The Nevada Division of Forestry shall be responsible for determining compliance with this condition.

39. The developer shall enter into talks with the Nevada Division of Forestry for any other requirements, such as, a fire station site, manpower and equipment needs, or for coordination with other developments that have similar requirements.

LANDSCAPING/ARCHITECTURAL DESIGN

40. Prior to any ground-disturbing activity, the applicant shall submit a landscaping/architectural design plan to the Department of Community Development for review and approval by the Design Review Committee (DRC). Said plan shall address, but not be limited to: general architectural design, type and color of building materials, parking, parking lot circulation and striping, signage, exterior lighting, fencing, trash enclosures, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained. In reviewing this landscape plan the DRC shall ensure that the design style is "natural", that a majority of the landscaping consists of evergreen trees, one third of which shall meet Development Code minimum standards and two thirds which shall be in the height range of seven to ten feet tall. Deciduous trees shall be clustered in groups to provide a natural appearance. Size of planting wells within the parking areas shall be of sufficient size to allow for growth and ensure survivability. Design of all landscaping shall be consistent with that on other properties owned by the applicant in the area and shall blend with the natural environment. The DRC shall also specifically address the adequacy and effectiveness of methods chosen to buffer the project from adjacent residential areas to the east. .

41. That area between the project site and Old Town Road, and the area immediately to the south of the project, areas within the parcel, but outside the subdivision boundary, shall be landscaped to buffer the project from adjacent residential uses. Provisions for the maintenance of this landscaping shall be made to the satisfaction of the Department of Community Development.

42. As measured by the Uniform Building Code, no structure may exceed a height of 35 feet. Signage shall be of the monument type and shall not exceed 6 feet in height. Signage shall be limited to one monument sign for the complex and one monument sign for public uses. All other signage shall be on building structures.

43. A certification letter or series of letters by a landscape architect registered in the State of Nevada shall be submitted to the Department of Community Development. The letter(s) shall certify that all applicable landscaping provisions of Articles 408, 410, and 412 of the Development Code have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the code that the Director of Community Development has waived.

COMMISSIONERS'/MANAGER'S COMMENTS

County Manager John MacIntyre introduced Ed Schmidt, newly appointed Water Resources Manager and wished him well in his new position.

COMMUNICATIONS AND REPORTS

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk.

97-1261 Communications

- A. From the Nevada Tahoe Conservation District as required under the Nevada State Administrative Manual, a copy of their Cooperative Agreement with the Division of State Lands.
- B. A Forensic Support Service Agreement (1997/98) between the Washoe County Sheriff's office and the County of Elko (see Item 97-571, May 27, 1997).
- C. Truckee Meadows Fire Protection District 1996 Annual Report of District Operations.

97-1262 Reports - Monthly (October, 1997)

- A. Animal Control
- B. County Clerk
- C. Court Clerk
- D. Social Services
- E. Treasurer

97-1263 Quarterly Reports - Apr. May, Jun., 1997

- A. Reno-Sparks Convention & Visitors Authority

97-1264 Quarterly Reports - Jul., Aug., Sep., 1997

- A. Reno-Sparks Convention & Visitors Authority
- B. Washoe County
- C. Washoe County School District

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There being no further business to come before the Board, the meeting adjourned at 11:45 a..m.

JOANNE BOND, CHAIRMAN
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk